

REMARKS

In the present amendment, Applicant has amended Figures 10-14 of the drawings in order to correct for the labeling on the various graphs and charts. Specifically, the units for the tension of the web were incorrectly labeled as being N/m^2 . The drawings have been amended in order to show the proper units for the tension, specifically N/m . Applicant respectfully submits that these changes do not inject new matter into the application as the correct units for the tension were shown, for instance, in originally filed Figures 8 and 9 of the drawings.

Applicant has also amended various portions of the specification in order to provide for the correct unit labeling of the tension. Specifically, the words "Newtons per meter squared" have been changed to "Newtons per meter." Applicant respectfully submits that these changes do not inject new matter into the present application.

In the Office Action of December 30, 2003, claims 1-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Luukala, et al. (U.S. Patent No. 4,833,928).

Claims 6-8 were objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. In the present amendment, Applicant has amended claim 6 in order to incorporate the subject matter of the originally filed base claim and intervening claims. Claims 7 and 8 depend from claims 6 and 7 respectively. As such, Applicant respectfully submits that claims 6-8 are in condition for allowance.

Also in the Office Action of December 30, 2003, claims 16-19 were allowed.

Applicant respectfully submits that claim 1 defines over Luukala, et al. Respectfully, Luukala, et al. does not disclose a process for determining the tension in a

moving web where the instability index of the web is greater than or equal to 0.5 and is measured by the equation $v/(v+vd)$ or $v/(vd-v)$ where v equals the speed of the web and vd equals the speed of the wave. Support for this claim amendment may be found on at least page 17, lines 3-16 of Applicant's application.

Applicant respectfully submits that it would have been non-obvious to modify Luukala, et al. in order to provide for a process for determining the tension in a moving web where the instability index of the web is greater than or equal to 0.5. The process called for in claim 1 of Applicant's application allows for, among other things, a method for measuring the tension in a moving web when the web is unstable. The method described in Luukala, et al. is not capable of either measuring the tension of an unstable web (that is one with an instability index approaching 1.0) or a lightweight web such as a tissue.

Luukala, et al. is incapable of doing so due to the method of wave generation. In this regard, Luukala, et al. explicitly calls for a loud speaker 3 to generate a sound burst in order to induce a wave 2 on the web 1 (see Luukala, et al. at col. 3, lines 38-40; and col. 4, lines 32-33, lines 44-46, and lines 53-55). As an alternative to the loud speaker 3, the sound source can be a compressed air whistle pipe or other device that produces sound having frequencies in the order of 100 to 500 Hz (see Luukala, et al. at col. 5, lines 23-27). Luukala, et al. explicitly teaches that the wave 2 is **not** to be generated by blowing air onto the wave 2, because such a method of wave generation is both inaccurate and creates the hazard of tearing the web (see Luukala, et al. at col. 1, lines 62-65).

Applicant respectfully submits that the use of the loud speaker 3 in Luukala, et al.

is insufficient for measuring the tension in a low-tension, low-basis weight web. Additionally, Applicant respectfully submits that the method of wave generation in Luukala, et al. is incapable of measuring the tension in a moving web where the instability index of the web is greater than or equal to 0.5.

Applicant respectfully submits that the method and apparatus disclosed in Luukala, et al. is incapable of being modified in order to arrive at the process set forth in claim 1 of Applicant's application. As such, Applicant respectfully submits that claim 1 defines over Luukala, et al. and is in condition for allowance. Further, all claims that depend from claim 1 (claims 2-5) are also in condition for allowance. Their rejections being made moot due to the allowance of claim 1.

With the present amendment, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance. Favorable action thereon is respectfully requested. The Examiner is encouraged to contact the undersigned at the Examiner's convenience in order to answer any questions or should additional information be required.

Respectfully submitted,

DORITY & MANNING,
Attorneys at Law, P.A.

Date: March 16, 2004

Neal P. Pierotti

Neal P. Pierotti
Reg. No. 45,716

P.O. Box 1449
Greenville, SC 29601

Telephone: (864) 271-1592
Facsimile: (864) 233-7342